

**REMARKS**

Claims 15-31 are pending in the subject application. Claims 1-14 were previously canceled. By this amendment, Claims 15, 16, and 28 have been amended and Claims 29-31 have been added. Claims 15 and 16 have been amended to more particularly point out the subject matter regarded as inventive. Claims 21 and 28 have been amended to address certain informalities. New Claims 29-31 are directed to subject matter previously indicated as allowable. Support for the amendments to the Claims can be found throughout the written specification and drawings. It is therefore respectfully submitted that no new matter has been introduced by these amendments. Reconsideration of the subject patent application is respectfully requested in light of the preceding amendments and following remarks.

**Rejections Under 35 U.S.C. § 102(b)**

Claims 15-23 and 27-28 were rejected under 35 U.S.C. §102(b) as being anticipated by British Patent No. 2,371,597 to Farrar et al. (hereinafter "Farrar").

Farrar describes an apparatus for releasing a security device held within a media container. A generally rectangular slot (1) receives a container and constrains the container laterally (e.g. by walls 30D,E or 30F,G), as well as on top (30J) and bottom (30C), as the container is advanced forward into the slot (1). Eventually, when the container approaches the end of slot (1), the security device (3) comes into proximity with magnets (8,9). When the container reaches the end of slot (1), it is restrained in every direction but the direction from which it was inserted. This restraint ensures proper alignment of magnets (8,9) with security device (3). Magnets (8,9) can then release security device (3) from the container as the container

is removed from slot (1). One embodiment is configured to accommodate DVD containers of one size and CD containers of a second size (Fig. 6A). Another embodiment (Figs. 7A and 7B) is shown which accommodates DVD containers of two different sizes by restraining thin containers from above with a spring arm (42) as a guide.

In contrast to Farrar, amended Claim 15 recites an apparatus for releasing a magnetic security device. The apparatus includes a first portion for locating an article in a first direction and a second portion for locating an article in a second direction substantially perpendicular to the first direction. The first and second portions form a slot for receiving the article but physically restrain the article in the first and second directions as it is brought into contact with the first and second portions, while leaving the article unrestrained in at least a third direction substantially perpendicular to the first and second directions. At least one of the first and second portions includes magnetic release means arranged to assist in locating an initially misaligned article into alignment in the third direction by magnetic attraction of the security device as the article is brought into contact with the at least one of the first and second portions. The magnetic release means are arranged to provide a first magnetic force in the first direction and a second magnetic force in the second direction for releasing a magnetic security device from the article.

Farrar does not teach, suggest, or disclose each and every element of amended Claim 15. In particular, Farrar does not disclose an apparatus that includes a slot for receiving an article and physically restraining the article in the first and second directions as it is brought into contact with first and second portions, while leaving the article unrestrained in at least a third direction substantially perpendicular to the first and second directions. As explained above, the slot (1) in Farrar has side walls (30D,E or 30F,G) that restrain the articles in the third direction. Moreover,

Farrar does not disclose the magnetic release means arranged to assist in locating an initially misaligned article into alignment in the third direction by magnetic attraction of the security device, as recited in amended Claim 15. Rather, alignment is achieved in the device of Farrar by the side walls (30D,E or 30F,G), the top wall (30J), and/or the spring arm (42) physically restraining the articles.

The structure described by Farrar having a generally rectangular slot (1) is suitable for accommodating articles of certain sizes. Importantly, the dimensions of slot (1) dictate the sizes of articles that can be inserted. For example, it is not possible to use slot (1) to unlock articles with a height or width greater than the height or width of slot (1). Moreover, if the width of an article is smaller than the dimensions of slot (1), proper alignment of the article is difficult to achieve. However, the structure recited in amended Claim 15 has the advantage of being capable of receiving and positioning articles of virtually any size. The structure of amended Claim 15 does not depend on side and top walls (30D,E,F,G,J) to align articles. Rather, it allows the security device in articles of arbitrary size to be located at the most optimal position aligned by the magnetic release means. As a result, the security device does not have to be centered on the article and can be located in various places along the leading edge.

For at least the foregoing reasons, it is respectfully submitted that Farrar does not teach, suggest, or disclose each and every element recited in amended Claim 15. Claims 17-26 depend from amended Claim 15 and include all of the elements recited in amended Claim 15. Therefore, it is respectfully submitted that Farrar does not anticipate Claims 15 and 17-26 as presently amended. Withdrawal of the rejection under 35 U.S.C. §102(b) with respect to amended Claims 15 and 17-23 is therefore respectfully requested.

Concerning the Examiner's rejection of independent Claim 16, currently amended Claim 16 is directed to an apparatus for releasing a magnetic security device. The apparatus includes a first portion for locating an article in a first direction and a second portion for locating an article in a second direction substantially perpendicular to the first direction. The first and second portions provide an L-shaped slot or receptacle for restraining the article in the first and second directions as it is brought into contact with the first and second portions, while leaving the article unrestrained in at least a third direction substantially perpendicular to the first and second directions. The L-shaped slot is capable of receiving articles of a wide range of shapes and sizes having a security device installed adjacent two substantially perpendicular sides thereof. At least one of the first and second portions includes magnetic release means arranged to provide a first magnetic force in the first direction and a second magnetic force in the second direction for releasing a magnetic security device from the article.

Farrar does not teach, suggest, or disclose each and every element recited in amended Claim 16. In particular, Farrar does not disclose an L-shaped slot or receptacle for restraining the article in the first and second directions as it is brought into contact with the first and second portions, while leaving the article unrestrained in at least a third direction substantially perpendicular to the first and second directions. Instead, as already discussed above with respect to amended Claim 15, Farrar describes a generally rectangular slot (1) which depends on side walls (30D,E or 30F,G) to align the articles in the third direction. As with the structure recited in amended Claim 15, the structure in amended Claim 16 allows for releasing articles of arbitrary size to be released, without the structure of a slot (1) dictating the height or width of the articles.

Moreover, the apparatus of amended Claim 16 does not require the security device to be centered on the article, but rather allows it to be located in various places along an edge of the article.

For at least the foregoing reasons, it is respectfully submitted that Farrar does not teach, suggest, or disclose each and every element recited in Claim 16, as presently amended.

Amended Claim 27 depends from amended Claim 16 and thus includes all the elements recited in Claim 16, as presently amended. Therefore, it is respectfully submitted that Farrar does not anticipate amended Claims 16 and 27. Withdrawal of the rejection under 35 U.S.C. § 102(b) with respect to amended Claims 16 and 27 is therefore respectfully requested.

Amended Claim 28 recites a method of releasing a magnetic security device. The method includes the steps of providing an apparatus as recited in Claim 15 and presenting an article with a magnetic security device thereto to release the magnetic security device therefrom. It has been explained above that Farrar fails to teach, suggest, or disclose an apparatus that includes each and every element recited in amended Claim 15. Since amended Claim 28 includes the step of providing an apparatus as recited in amended Claim 15, Farrar does not disclose each of the elements recited in amended Claim 28. Therefore, it is respectfully submitted that Farrar does not anticipate amended Claim 28. Withdrawal of the rejection under 35 U.S.C. 102(b) with respect to amended Claim 28 is therefore respectfully requested.

#### **Allowable Subject Matter**

It is noted with appreciation that Claims 24-26 were indicated as allowable by the Examiner if amended to be in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, Claims 29-31 have been added to the application and

are directed to the allowable subject matter of Claims 24-26 prior to this amendment.

Independent Claim 29 includes each of the elements found in Claims 15 and 24 prior to this amendment. Dependent Claims 30 and 31 depend from independent Claim 29 and correspond to Claims 25 and 26 prior to this amendment, respectively. Favorable treatment of Claims 29-31 is therefore respectfully requested.

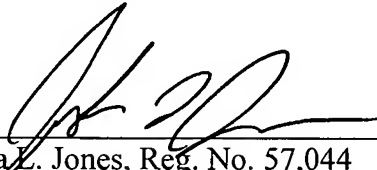
**CONCLUSION**

Applicants respectfully submit that none of the prior art of record, alone or in combination, discloses or suggests the invention as presently claimed. Based upon the foregoing, favorable consideration of Claims 15-31 is respectfully requested. If it is believed that an interview would advance prosecution, the Examiner is invited to call Applicants' representative at the number below.

It is respectfully submitted that this response is timely submitted, together with the enclosed Petition for 1-month extension of time and accompanying fee. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 64496US (53583).

Respectfully submitted,

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